

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

GREGG BOGOSIAN and THADOSHA
BOGOSIAN and A.B.,
a minor child, by and through her parents
and natural guardians, Gregg Bogosian and
Thadosha Bogosian,

Plaintiffs

v.

C.A. No. 14-080-ML

RHODE ISLAND AIRPORT CORPORATION
(T.F. GREEN AIRPORT); OFFICER STEPHEN E.
REIS; SERGEANT CHARLES E. HALL;
OFFICER JOHN KINGSTON; and OFFICER
JOHN DOE,

Defendants

MEMORANDUM AND ORDER

This matter is before the Court on review of a Report and Recommendation ("R&R") issued by Magistrate Judge Sullivan on June 5, 2017 (ECF No. 136), in which she recommends that the Court deny the motion of Gregg Bogosian ("Bogosian") for leave to proceed *in forma pauperis* (ECF No. 128). Bogosian filed his "Response and Objections" to the R&R on June 20, 2017 (ECF No. 138). Although Bogosian states therein that his IFP motion "is hereby withdrawn under duress," Pltf.'s Obj. at 7, he also strenuously disputes some of the facts on which the Magistrate Judge's recommendation is based.

The Court reviews *de novo* those portions of the R&R to which a timely objection has been made. See Fed. R. Civ. P. 72(b). The Court has thoroughly reviewed and considered the R&R, Bogosian's objection thereto, Bogosian's motion for IFP (ECF No. 128) and the Defendants' response in opposition to Bogosian's motion (ECF Nos. 129, 130). Having done so, the Court now adopts the R&R in its entirety.

As rightly noted in the R&R, nine days after filing the instant motion, Bogosian and his wife appealed from a judgment in favor of the Defendants and arranged for payment of the \$505 filing fee. R&R at 1. Consequently, the case is now on appeal. Moreover, the record reveals that the Plaintiffs are a married couple living together; that Bogosian's wife is gainfully employed; and that Bogosian owns a car and worked as an Uber driver last year. Under those circumstances, Bogosian does not qualify for *in forma pauperis* status.

Accordingly, Bogosian's motion for leave to proceed in *forma pauperis* is DENIED.

SO ORDERED.

/s/ Mary M. Lisi
Senior United States District Judge

June 26, 2017